Remarks:

Reconsideration of the application is respectfully requested.

Claims 1 – 3, 5 – 13, 15 – 23 and 25 - 32 are presently pending in the application. Claims 4, 14 and 24 were previously canceled. As it is believed that the claims were patentable over the cited art in their previously presented form, the claims have not been amended to overcome the references.

On page 3 of the above-identified Office Action, claims 1 – 2, 5 – 12, 15 – 22 and 25 - 31 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over U. S. Patent No. 6,388,997 to Scott ("**SCOTT**") in view of U. S. Patent No. 6,928,065 to Logalbo et al ("**LOGALBO**"). On page 13 of the Office Action, claims 3, 13 and 23 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over **SCOTT** in view **LOGALBO**, and further in view of U. S. Patent Application Publication No. 2002/0141478 to Ozluturk ("**OZLUTURK**").

Applicants respectfully traverse the above rejections.

More particularly, as acknowledged on page 4 of the Office Action, the **SCOTT** reference does not teach or suggest all limitations of Applicants' independent claims. See, for example, page 4 of the Office Action stating, in part:

> However, Scott does not specifically disclose identification information for said piconetwork only at a start of a transmission of each of the first data bursts, and at least some of the first data bursts containing at least two data blocks intended for different ones of said mobile stations;

Rather, page 4 of the Office Action points to the **LOGALBO** reference as allegedly curing the above-cited defects of the **SCOTT** reference. However, the **LOGALBO** reference is **not** prior art citable against the present invention.

In particular, the present application was filed on July 30, 2003, as a continuation of PCT Application No. PCT/DE02/00450, filed on July 30, 2002, which claimed priority from German Patent Application No. DE 101 03 927.1, filed on **January 30, 2001**. Pursuant to 35 U.S.C. §§ 119, Applicant is entitled to claim priority back to the filing date of the German patent application. See MPEP §§ 201.13. As such, the effective priority date of the present invention is **January 30, 2001**, under 35 U.S.C. § 119.

However, the **LOGALBO** reference was filed in the United States on **June 11, 2002**, almost one and half years **after** the effective priority date of the present invention. Further, the first publication of the **DEBE** application occurred on **December 11, 2003**, well **after** the effective filing date of the instant application in the United States. Because **LOGALBO** was

filed in the United States **after** the priority date of the instant application, Applicants respectfully assert that **LOGALBO** is unavailable as prior art against the claims of the present invention.

Applicants acknowledge that perfection of priority can only be obtained by filing a certified English translation of the German priority application. See 35 U.S.C. § 119. On September 12, 2003, Applicant filed a Claim for Priority including a certified copy of German Patent Application No. DE 101 03 927.1. Applicants' priority claim is additionally reflected in the filing receipt mailed February 12, 2004, in connection with the present application.

In order to perfect priority to that application, Applicants are filing herewith a certified English translation of the German priority document. Accordingly, Applicants respectfully believe that the **LOGALBO** reference is unavailable as prior art against the instant application. Therefore, Applicants respectfully request the 35 U.S.C. § 103(a) rejections of the claims, based on a combination of references including **LOGALBO** to be withdrawn.

As acknowledged on page 4 of the Office Action, the **SCOTT** reference does **not** teach or suggest all limitations of

Applicants' claims. The **LOGALBO** reference is not prior art to the instant invention. Further, the **OZLUTURK** reference, cited on page 13 of the Office Action in combination with the **SCOTT** and **LOGALBO** references against certain of Applicants' dependent claims, does not cure the admitted deficiencies of the **SCOTT** reference.

For the foregoing reasons, among others, Applicants' claims are believed to be patentable over the rejections made in the Office Action.

It is accordingly believed that none of the references, whether taken alone or in any combination, teach or suggest the features of claims 1, 11, 21, 31 and 32. Claims 1, 11, 21, 31 and 32 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claims 1, 11 or 21.

In view of the foregoing, reconsideration and allowance of claims 1 - 3, 5 - 13, 15 - 23 and 25 - 32 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a

telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

Please charge any fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Stemer LLP, No. 12-1099.

Respectfully submitted,

/Kerry Pauline Sisselman/
Kerry Pauline Sisselman
Reg. No. 37,237

For Applicants

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Lerner Greenberg Stemer LLP
Post Office Box 2480
Hollywood, FL 33022-2480
Tel: (954) 925-1100
Fax: (954) 925-1101